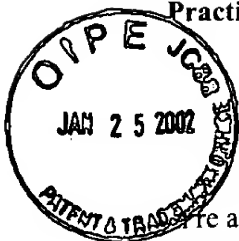


Practitioner's Docket No. 7167-1-MAT

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Appleby, A. John, et al.

Application No.: 09/779,872

Group No.: Unknown

Filed: 02/08/2001

Examiner: Unknown

For: FUEL CELL WITH MONOLITHIC FLOW-FIELD-BIPOLAR PLATE ASSEMBLY AND
METHOD FOR MAKING AND COOLING A FUEL CELL STACK

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)

I hereby certify that the attached correspondence comprising:

Third Party Submission in Published Application Under 37 C.F.R. §1.99

Six (6) Cited References

Check in the amount of \$180.00

Acknowledgement of Receipt/Return Card

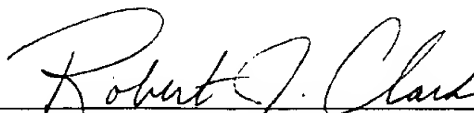
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is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
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on Dec. 19, 2001.

Robert J. Clark


Signature of person mailing paper



Attorney Docket No. 7167-1-MAT
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Appleby, A. John, et al. **Examiner:** Unknown
Serial No.: 09/779,872 **Art Unit:** Unknown
Publication No. : US 2001/0033956 **Publication Date:** October 25, 2001
Filed: February 8, 2001 **Date:** December 19, 2001
For: FUEL CELL WITH MONOLITHIC FLOW FIELD-BIPOLAR PLATE
ASSEMBLY AND METHOD FOR MAKING AND COOLING A FUEL
CELL STACK

*To: The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231*

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**THIRD PARTY SUBMISSION IN PUBLISHED APPLICATION
UNDER 37 C.F.R. § 1.99**

This Third Party Submission in Published Application Under 37 C.F.R. §1.99 is filed within two (2) months of the date of publication of the application §1.215(a) and is believed to be filed prior to the mailing of a notice of allowance §1.311, and is, therefore, considered timely under 37 C.F.R. §1.99(e). The fee under 37 C.F.R. §1.17(p) is enclosed herein as required under 37 C.F.R. §1.99(b)(1).

This Third Party Submission in Published Application has been served upon the applicant in accordance with 37 C.F.R. §1.248 (See Proof of Service below) as required under 37 C.F.R. §1.99(c).

10/31/02 09:08 AM 10/31/02 09:08 AM

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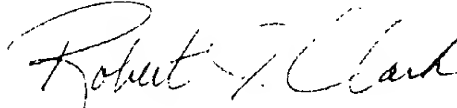
A list of four (4) U.S. patents and two (2) International patent applications submitted by the third party are listed in the table below as specified in 37 C.F.R. §1.99(b)(2). A copy of each submitted patent is enclosed herein as specified in 37 C.F.R. §1.99(b)(3).

Table of Submitted Documents

| Document No. | Issue Date | Name |
|--------------------------|-------------------|--------------------|
| US Pat. No. 5,641,586 | June 24, 1997 | Mahlon S. Wilson |
| US Pat. No. 5,776,624 | July 7, 1998 | Jay Kevin Neutzler |
| US Pat. No. 5,981,098 | November 9, 1999 | Nicholas G. Vitale |
| WO 00/69003 A3 | November 16, 2000 | Carlos Salinas |
| WO 01/15257 A2 | March 1, 2001 | Glenn A. Eisman |
| US Pat. No. 6,232,010 B1 | May 15, 2001 | Alan J. Cisar |

The foregoing Third Party Submission in Published Application meets all the requirements under 37 C.F.R. §1.99. Accordingly, it is requested that this Third Party Submission in Published Application be entered in the application file of U.S. Patent Application Serial Number 09/779,872 and brought before the examiner.

Respectfully submitted,



Robert J. Clark
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Attorney Docket No. 7167-1-MAT

Proof of Service

I hereby certify that a true and correct copy of this THIRD PARTY SUBMISSION IN PUBLISHED APPLICATION UNDER 37 C.F.R. § 1.99 is being mailed first class mail, postage prepaid, this 19th day of December 2001, to Janelle Waack, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, TX 77057.

Robert J. Clark